FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
APPEAL FROM ORDER NO.611 OF 2007
ALONG WITH
CIVIL APPLICATION NO.865 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mrs S.D.Gokhale, for the appellant.
Mr S.D.Rupwate with Aniket B Deshkar, for the respondents.

CORAM : D.B.BHOSALE,J.
DATED : 19th November, 2007

P.C.:

Heard learned counsel for the parties.

By this appeal, the appellant has impugned an order dated 7.4.2007 passed on the application filed by the respondent-wife seeking maintenance for herself and her child. The Court has granted Rs.1500/- each. Ms.Gokhale, learned counsel for the appellant, vehemently submitted that in the face of the order dated 18.10.2006 passed by the Judicial Magistrate First Class, Panvel on the application filed by the wife under section 125 of the Code of Criminal Procedure, the civil court ought to have rejected her application. I perused both the orders. In

the proceedings under section 125 of the Code of Criminal Procedure, the Magistrate has granted Rs.1000/- each to the respondents. In the impugned order, the court has taken the order passed by the Magistrate into consideration and has directed to adjust that amount while making the payment of Rs.1500/- each to the respondents. I find absolutely no merit in the appeal. No other contention is urged by the learned counsel for the appellant. In the circumstances, the appeal is dismissed. As a consequence thereof, the civil application stands disposed of.

(D.B.BHOSALE,J.)